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United States of America

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

In re: Marijuana Possession and Use  
Dismissals Pursuant to December 22,  
2023, Presidential Proclamation Pardoning  
Individuals for the Offenses of Simple  
Possession and Use of Marijuana

UNITED STATES'S MOTION TO DISMISS AND  
RECALL BENCH WARRANTS; ORDER

**Dismissal of Marijuana Possession and Use Cases Pursuant to Presidential Pardon**

By a presidential proclamation on December 22, 2023, President Biden announced a pardon for specified federal misdemeanor marijuana possession and use offenses.<sup>1</sup> Pursuant to that presidential pardon and Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America, by and through its undersigned attorney, hereby moves this Honorable Court for an Order dismissing the

<sup>1</sup> See <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/12/22/a-proclamation-on-granting-pardon-for-the-offense-of-simple-possession-of-marijuana-attempted-simple-possession-of-marijuana-or-use-of-marijuana/> (last accessed April 11, 2024). This followed a prior similar proclamation on October 6, 2022, that was primarily focused on Title 21 marijuana possession offenses. See <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/10/06/granting-pardon-for-the-offense-of-simple-possession-of-marijuana/> (last accessed April 11, 2024).

1 152 misdemeanor marijuana possession and use cases listed in Exhibit A to this motion, and to recall all  
2 associated warrants.

3 The list below contains those Eastern District of California marijuana possession and use cases  
4 that the U.S. Attorney's office has identified to date as still pending before both the Sacramento and  
5 Fresno Divisions of the district (except Yosemite cases) that have assigned ECF case numbers. Many of  
6 these cases remain open because they are in warrant status. Consistent with President Biden's  
7 proclamation, the government therefore requests that this Court order dismissal of these cases and recall  
8 of all associated warrants.

9 Respectfully submitted,

10 Dated: April 12, 2024

11 PHILLIP A. TALBERT  
12 United States Attorney

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14 CHRISTOPHER S. HALES  
15 Assistant United States Attorney

16 **ORDER**

17  
18 As Chief Magistrate Judge for the Eastern District of California, and pursuant to the motion of  
19 the United States, I hereby order dismissal of each misdemeanor marijuana possession and use case  
20 listed below in Exhibit A, and the recall of all warrants associated with each case. I further direct the  
21 Clerk of the Court to file a copy of this signed order in each of the cases listed below.

22 IT IS SO ORDERED

23 Dated: April 12, 2024

24 

25 CAROLYN K. DELANEY  
26 UNITED STATES MAGISTRATE JUDGE

**EXHIBIT A****List of Cases to be Dismissed****Sacramento Division Cases**

	<b>ECF Case Number</b>	<b>Defendant</b>	<b>Violation</b>
1	3:17-PO-00210-CMK	ABREGO, WILLIAM A	FBDQ004H
2	3:16-PO-00131-CMK	ADKISON, JACOB W	3503757
3	3:17-PO-00171-CMK	ATWOOD, JAMES M	FATZ003J
4	3:20-PO-00219-DMC	BACON, MATHEW E	F5328733
5	3:22-PO-00260-DMC	BAKER, JESSE J	F5238682
6	3:17-PO-00235-CMK	BENSON, BRANDON M	6307887
7	3:16-PO-00571-CMK	BONNEL, MADISON E	F4854534
8	3:22-PO-00263-DMC	BOONE, JENNIFER	9225633
9	3:18-PO-00378-DMC	BREASHEARS, BRANDIE E	F5381170
10	3:23-PO-00026-DMC	CARPENTER, STEPHANIE L	9225636
11	3:17-PO-00468-CMK	CHRISTY, ADESHJUANIA R	6307898
12	3:17-PO-00289-CMK	COTESBATTLE, STEPHEN	6307680
13	3:16-PO-00196-CMK	CRATER, GREGORY S	F4349092
14	3:16-PO-00603-CMK	CROSLEY, JAMES E	F4926504
15	3:17-PO-00050-CMK	CUTTER, DAVID L	F4927058
16	3:23-PO-00043-DMC	DALRYMPLE, MATTHEW K	E1163284
17	3:18-PO-00123-CMK	DAY, CHARLES K	F5361407
18	3:16-PO-00521-CMK	DEAL, ANTHONY E	FATZ003H
19	3:16-PO-00573-CMK	DEIVALRIGGS, ROGELIO	F4854532
20	3:21-PO-00111-DMC	ESPARZA, JOSE J	F5312527
21	3:18-PO-00345-DMC	FLETCHER, THOMAS E JR	F5208265
22	3:16-PO-00006-CMK	GAEDE, MINDY J	F4489819
23	3:21-PO-00303-DMC	GARCIA, VINCENT E	F5240369
24	3:16-PO-00176-CMK	GRAF, PETER S	FATW003B
25	3:17-PO-00058-CMK	GUILLEN, JONATHAN	6012935
26	3:16-PO-00107-CMK	HAMPSTEN, PHILLIP R	FBDQ0048
27	3:17-PO-00661-CMK	HAREN, GARY T	F4932905

	ECF Case Number	Defendant	Violation
28	3:16-PO-00074-CMK	HARRISON, BRADLEE W	F4223121
29	3:18-PO-00231-DMC	HARVEY, ANGELA F	6307587
30	3:17-PO-00696-CMK	HATFIELD, ERIC L	F5208152
31	3:17-PO-00508-CMK	HAYBURN, SARAH S	FBDK00C9
32	3:19-PO-00119-DMC	HICKS, LISA A	6242682
33	3:22-PO-00127-DMC	JOHNSON, DAVID W	F5238986
34	3:16-PO-00609-CMK	JOHNSON, DEVIN C	F4926505
35	3:17-PO-00064-CMK	JONES, ROSSER L	F4854279
36	3:16-PO-00143-CMK	JONES, STEVEN P	FBDS0037
37	3:17-PO-00148-CMK	KEEHL, RANDAL L	6307633
38	3:16-PO-00552-CMK	KHANG, LEE	F4937379
39	3:16-PO-00111-CMK	KISTLE, RONALD F	F4493322
40	3:19-PO-00228-DMC	LARKINS, BILLY W	F5401465
41	3:17-PO-00581-CMK	LEDVITCH, VLADISLAV	6242379
42	3:17-PO-00242-CMK	LEE, TIANNA M	F4900644
43	3:20-PO-00301-DMC	LOPEZ, MICHAEL JR	F5236976
44	3:18-PO-00178-CMK	MANJOET, BOBBY	F5464308
45	3:20-PO-00442-DMC	MARCIEL, JOHN	F5237202
46	3:16-PO-00581-CMK	MARTIN, WARREN R	F3813715
47	3:16-PO-00021-CMK	MARTIN, WARREN R	F4349081
48	3:19-PO-00251-DMC	MATHIS, MEAGAN E	7539626
49	3:21-PO-00307-DMC	MCCAIN, EDWARD C	E1163354
50	3:16-PO-00026-CMK	MEYERS, DWAYNE D	F4349086
51	3:23-PO-00029-DMC	MICKENS, DAVID T	9225634
52	3:20-PO-00012-DMC	MONTANO, JEANNETTE J	6307982
53	3:16-PO-00584-CMK	MOON, WILLIAM C	F4854559
54	3:23-PO-00017-DMC	MOORE, JAKE D	F5313671
55	3:20-PO-00448-DMC	MOORE, JASON L	9605891
56	3:20-PO-00031-DMC	MORETZ, NICOLE A	6730890
57	3:18-PO-00330-DMC	MOULTON, JOSEPH M	6183765
58	3:17-PO-00618-CMK	MURLEY, JASON D	FATW004C
59	3:17-PO-00083-CMK	NEDDENRIEP, BRYAN R	6519001
60	3:16-PO-00216-CMK	NEVAREZ, SILVESTRE B	F4402091
61	3:16-PO-00566-CMK	NEWELL, TYLER D	F4900530
62	3:17-PO-00224-CMK	NIEMEIEEN, CHARLES M	F4900326

	ECF Case Number	Defendant	Violation
63	3:18-PO-00363-DMC	NOON, CHRISTIAN M	6012851
64	3:18-PO-00118-CMK	ONDRAK, KELLY D	6335090
65	3:19-PO-00190-DMC	PARVINSOUZA, JESSICA A	9225671
66	3:18-PO-00102-CMK	PATTY, FRANKLIN A	F5464820
67	3:17-PO-00368-CMK	PAWLYK, JAMES J	F4843003
68	3:18-PO-00096-CMK	PAYNE, JON W	FBDQ0050
69	3:18-PO-00097-CMK	PETERSEN, ROY J	F4903681
70	3:19-PO-00125-DMC	PITCHER, DANNY H	F5463790
71	3:17-PO-00720-CMK	PRESTON, SARAH E	F5208153
72	3:18-PO-00086-CMK	QUINLAIN, JEFFREY J	F5464383
73	3:18-PO-00421-DMC	RABAGO, RACHEL I	F4901996
74	3:17-PO-00374-CMK	RATHJAN, CHRISTOPHER W JR	F4903384
75	3:19-PO-00192-DMC	RECOTTA, CHARLES F	9225667
76	3:17-PO-00087-CMK	RESMONDO, JUSTIN T	F4927059
77	3:18-PO-00038-CMK	ROBINSON, LORRIE M	F5464802
78	3:17-PO-00441-CMK	SANCHEZREYES, JOSE A	6307652
79	3:17-PO-00386-CMK	SCHAVE, NICHOLAS R	F4857610
80	3:18-PO-00441-DMC	SCHRICKER, BRIAN J	F4896526
81	3:16-PO-00081-CMK	SHORT, STEVEN D	FBDQ0047
82	3:20-PO-00341-DMC	SIDES, CODY B	F4903870
83	3:18-PO-00042-CMK	SINGLETON, DUANE J	6846422
84	3:16-PO-00502-CMK	SIPES, LARRY E	F4940360
85	3:16-PO-00118-CMK	SMITH, EULYS G	FAOK002I
86	3:21-PO-00212-DMC	SMITH, STEPHANIE A	9225719
87	3:19-PO-00280-DMC	STATON, MICHAEL J JR	F5464440
88	3:20-PO-00479-DMC	STEVENSON, JASON R	9086728
89	3:22-PO-00057-DMC	SUH, MAN S	9729528
90	3:17-PO-00393-CMK	TEAL, JODIE A	F4926728
91	3:19-PO-00196-DMC	THOMPSON, STEPHANIE E	F4897209
92	3:17-PO-00227-CMK	TINER, AMY	F4930412
93	3:17-PO-00197-CMK	TURNER, JERRY L	6307876
94	3:17-PO-00229-CMK	TURNER, KEVIN L	F4927067
95	3:22-PO-00018-DMC	TYNES, BRIAN D	F5313632
96	3:17-PO-00167-CMK	VAUGHAN, PAUL E	F4854192
97	3:21-PO-00246-DMC	WALTER, CHRIS D	F5237285

	ECF Case Number	Defendant	Violation
98	3:18-PO-00105-CMK	WHATLEY, JOE M	F5464816
99	3:17-PO-00729-CMK	WHITE, JONATHAN M	6242576
100	3:16-PO-00627-CMK	WINSTEAD, WILLIAM R	F4918378
101	3:19-PO-00053-DMC	WOLD, ROBERT D	6307538
102	3:21-PO-00312-DMC	WONNACOTT, SAMANTHA J	F5240368
103	3:18-PO-00041-CMK	YATES, AMBER R	F4898033
104	3:22-PO-00139-DMC	YORTY, ANTHONY R	9086593
105	3:22-PO-00257-DMC	YOUNG, JASON T	9225628
106	3:18-PO-00328-DMC	YOUNG, JENETTE L	F4901978
107	2:24-PO-00005-CKD	ABDULMUSAWWIR, JAMAL A	E1542940
108	2:20-PO-00300-EFB	BARGAS, MARIO L	7593283
109	2:21-PO-00369-JDP	BLOCK, MICHAEL R	F5384876
110	2:19-PO-00032-AC	CARTER, CHERISH A	7593079
111	2:23-PO-00086-AC	CORRAL, ALYSSA N	8009862
112	2:24-po-00036-AC	DURAN, PEDRO III	9233148
113	2:20-PO-00040-AC	DZIGORSKI, MICHAEL V	FBGZ0017
114	2:20-PO-00602-DB	HASCH, THOMAS J	E1114735
115	2:24-po-00041-AC	HERNANDEZ, JOSE J	9099606
116	2:18-PO-00379-DB	HERNANDEZQUINTANILLA, ALVARO I	6917454
117	2:24-po-00043-AC	HOOVER, JAMES B	9233147
118	2:21-PO-00390-JDP	MELETIOU, MICHAEL	FBMI0027
119	2:21-PO-00442-AC	OCOBOC, ROBERT T	F5404752
120	2:21-PO-00395-JDP	PEREZ, HOSANNA A	9475534
121	2:16-PO-00494-CKD	SAECHIN, YOON W	6917655
122	2:21-PO-00160-AC	SHEPHERD, JEREMIAH M	9598924
123	2:21-PO-00405-JDP	WHITE, ALLEN	F5340568
124	2:21-PO-00195-DB	WRIGHT, ANTHONY W	FBMI001H
125	2:19-PO-00104-KJN	YOUNG, SETH M	F5329602

**Fresno Division Cases**

	ECF Case Number	Defendant	Violation
126	1:16-PO-00368-SAB	AGUILERA, JONY M	6043888
127	1:20-PO-00033-SAB	AVILEZ, JESSE	9072588
128	1:20-PO-00033-SAB	AVILEZ, OFELIA A	9072589

MTN AND ORDER TO DISMISS AND  
RECALL BENCH WARRANTS

	ECF Case Number	Defendant	Violation
<del>129</del>	<del>5:23-PO-00001-CDB</del>	<del>BALBERAS, GABRIEL</del>	<del>9379421</del>
<del>130</del>	<del>5:16-PO-00339-JLT</del>	<del>BARRAGAN, JOSE</del>	<del>FBBP0037</del>
131	1:22-PO-00198-SAB	BLAUTH, MURIEL T	9337731
<del>132</del>	<del>5:24-PO-00002-CDB</del>	<del>COLEMAN, KEYUNTE J</del>	<del>7094008</del>
133	1:19-PO-00195-SAB	CORONADO, ALYSAH G	9072607
134	5:22-PO-00052-SAB	DEDMON, CARL	7055457
135	5:23-PO-00007-CDB	DOMINGO, LEXUS A	7293757
136	1:19-PO-00148-SAB	ENNIS, PRESTON A	9072578
137	1:18-PO-00065-SAB	FAJARDO, ROGELIO	6044739
138	1:18-PO-00147-SAB	FLOWERS, BOBBY F	6044994
<del>139</del>	<del>5:18-PO-00037-JLT</del>	<del>GILSDORF, JESSE R</del>	<del>7054602</del>
<del>140</del>	<del>5:22-PO-00178-SAB</del>	<del>HARRIS, YVETTE R</del>	<del>7897206</del>
141	1:18-PO-00108-SAB	HUIZAR, EMELIA R	7418006
142	5:18-PO-00383-JLT	JONES, TRAVION D	6552643
143	1:21-PO-00075-SAB	LAWRENCE, DANIEL M	9337126
144	1:21-PO-00132-SAB	MARTINDALE, ALYSSA R	9337152
145	5:21-PO-00175-JLT	MIDDLETON, KEVIN R	E1037501
146	1:18-PO-00309-SAB	MORALES, CHRISTOPHER E	7418054
147	5:20-PO-00063-JLT	POZOS, KRISTOPHER A	8108081
148	1:17-PO-00310-EPG	RIVAS, LUCAS J	6044289
149	1:18-PO-00018-SAB	ROCHA, JESSICA A	6044667
<del>150</del>	<del>5:20-PO-00065-JLT</del>	<del>RODRIGUEZ, DAVID F</del>	<del>8108219</del>
151	5:20-PO-00218-JLT	SCHEIDECKER, ERIK J	9653812
152	5:21-PO-00321-JLT	VANROSSUM, MICHAEL D	E1018745